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CITY OF LOS ANGELES
Greater VALLEY GLEN COUNCIL

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GVGC COMMITTEE
PROPOSED MOTION
FORM

GOVERNMENT
RELATIONS
COMMITTEE
2-21-09

- Board Members -

Terry Anderson	Fernando Ayala
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Chris Mushyan	Gary Popenoe
Kathleen Schwartz	Bruce Thomas
Karo Torossian	Chris Ueland
Vic Viereck	Abdul Zohbi

PROPOSED MOTION FOR BOARD ACTION:

RESOLVED, That the Greater VALLEY GLEN COUNCIL urges that the **Humane Art Ordinance** will make the commission of the crime of Animal Abuse for the purposes of creating media to now be illegal, punishable as a misdemeanor or felony; and, be it FURTHER RESOLVED, That the City of Los Angeles will not Commission or sponsor Exhibits wherein the creator of the media caused the crime of Animal Abuse to occur; and, be it FURTHER RESOLVED, That the ordinance would be drafted as a two pronged test for the actual director. The necessary elements of the crime are (a) Animal Abuse as defined under Los Angeles local ordinances, state, federal or international law must have taken place, (b) The defendant would have caused or created or contributed to the crime of Animal Abuse to take place for the purposes of his or her creation of the media or exhibit.

COMMUNITY IMPACT STATEMENT:

The Humanitarian Art Ordinance makes the commission of animal abuse for the purposes of creating media or an exhibit illegal and punishable as a misdemeanor or felony and says The City will not Commission such Exhibits.

Resolution approving the "Humanitarian Art" Ordinance would make the commission of the crime of Animal Abuse for the purposes of creating media or a display in the City of Los Angeles illegal and punishable as a misdemeanor or felony, and the City will not Commission such Exhibits.

WHEREAS, The City of Los Angeles recognizes and approves of the American Humane Association's "Guidelines for the Safe Use of Animals in Filmed Media" wherein the basic principles declare that: · Animals are not props! · No animal will be killed or injured for the sake of a film production and American Humane Association will not allow any animal to be treated inhumanely to elicit a performance; and

WHEREAS, The City of Los Angeles holds that the production of media that the director or the producer of the media is the direct cause of animal abuse to be captured on media supports an unacceptable industry of animal abuse; and,

WHEREAS, "Animal Abuse" includes the violation of Los Angeles Ordinances, State, Federal and international laws pertaining to animal abuse, the interest of animal welfare and animal cruelty laws specifically framed for the prevention of inhumane treatment of animals, including, but not limited to California Penal Code Sections 596, 596.5, 596.7, 597, 597.1, 597.3, 597a through x, 598, 598 a through d, 599 et al, 600, 623, 374d, 384h, 399, 399.5 and Federal laws 7 USC § 1901 – 1907, and 7 U.S.C. § 2131 et seq; and,

WHEREAS, "Caused or created or contributed to" shall mean that the defendant was responsible for causing the animal to be abused as defined above. A person is responsible for creating or causing the abuse of the animal if the animal would not have been abused in the way that the animal was captured on film "but for" the actions, production and direction of the defendant; and.

WHEREAS, "Exhibit" shall mean a display, presentation, show, film, media and/or screening of Animal Abuse; and.

WHEREAS, nothing in this chapter shall prohibit any person from capturing the Animal Abuse when the individual is not the cause of the death of animals and are not responsible for aiding or abetting in the crime of animal abuse that occurred; and,

WHEREAS, there is a government interest in protecting animals from unnecessary cruelty and not funding or commissioning animal cruelty to occur; and,

All Non Operational Expense Motions must attach Agency or Department Letter Requesting item or donation.

WHEREAS, the City of Los Angeles hereby acknowledges that this law is necessary to prevent further animal cruelty; now, therefore, be it
RESOLVED, That the Greater VALLEY GLEN COUNCIL urges that this Humane Art Ordinance will make the commission of the crime of
Animal Abuse for the purposes of creating media to now be illegal, punishable as a misdemeanor or felony; and, be it
FURTHER RESOLVED, That the City of Los Angeles will not Commission or sponsor Exhibits wherein the creator of the media caused the
crime of Animal Abuse to occur; and, be it

FURTHER RESOLVED, That the ordinance would be drafted as a two pronged test for the actual director. The necessary elements of the
crime are (a) Animal Abuse as defined under Los Angeles local ordinances, state, federal or international law must have taken place, (b) The defendant
would have caused or created or contributed to the crime of Animal Abuse to take place for the purposes of his or her creation of the media or exhibit.

No impact statement or budget expenditure.